IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

WP(C).No. 12746 of 2006(P)

PETITIONER:

V.V.RATHEESH,S/O.VASU,
VELUPARAMBIL HOUSE,
NETTOOR P.O.,
ERNAKULAM.

BY ADV. SRI.D.ANIL KUMAR

RESPONDENTS:
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1. THE PRINCIPAL,
KENDRIYA VIDYALAYA NO.II,
NAVAL BASE,KOCHI-4.

2. CENTRAL BOARD OF SECONDARY EDUCATION,
REP.BY ITS SECRETARY,NEW DELHI.

BY ADV. SRI.DEVAN RMACHANDRAN
SRI.V.V.ASOKAN
SRI.K.I.MAYANKUTTY MATHER S.C. FOR R1

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.12746/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE BIRTH CERTIFICATE OF PETITIONER'S SON JITH RATHEESH.

EXT.P2:- COPY OF THE LETTER SENT BY THE PETITIONER TO THE 1ST RESPONDENT DT.28.4.06.

EXT.P3:- COPY OF THE LETTER WRITTEN BY THE 1ST RESPONDENT TO THE PETITIONE DT.3.5.06.

EXT.P4:- COPY OF THE PROSPECTUS GIVEN BY THE SCHOOL AUTHORITY .

RESPONDENTS EXHIBITS

EXT.R1(a):- COPY OF THE ADMISSION GUIDELINES, 2006. NIL

EXT.R1(b):- COPY OF THE NOTIFICATION NIL.

/TRUE COPY/

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K.BALAKRISHNAN NAIR,J.

WP(C)NO.12746 OF 2006-P

Judgment

The petitioner's son sought admission in the first respondent's school. Though the applicant has not crossed the age limit of seven at the beginning of this academic year, he was not granted admission on the ground that he crossed the age limit of seven years on 30.09.2006. This Court issued an interim direction to admit the petitioner's son. The 1st respondent carried the matter in appeal. The Division Bench found that if the appointed day for the purpose of reckoning the age limit is fixed during the middle of the academic year, it may be beneficial to those seeking admission before they reach the age of five. But, it will be quite disadvantageous to those who are crossing the age limit. So, the Division Bench did not interfere with the interim order passed by this Court. Pursuant to the direction of this Court, the petitioner's son has been admitted. This academic year will be over within a few weeks. Therefore, interest of justice demands that the admission of the petitioner's son should be treated as regular. But, the point raised by the 1st respondent regarding the cut off date is not finally decided in this Writ Petition. It is kept open. It can be decided in some other appropriate case when the said question arises again.

The Writ Petition is disposed of as above.

11.01.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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